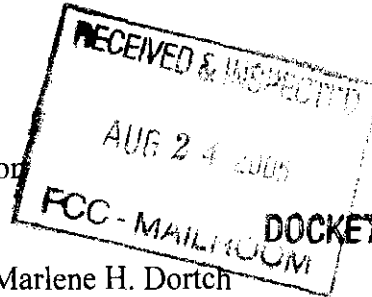




1567 E. 93rd Avenue
Merrillville, IN 46410
Phone (219) 650-5555
Toll Free 1-800-935-2181
Fax (219) 650-5545
www.pickmta.com

August 17th, 2005

Office of the Secretary,
Federal Communication Commission
445 12th St., S.W.
Washington, D.C. 20554
Attention: Commission Secretary, Marlene H. Dortch



ORIGINAL

DOCKET FILE COPY ORIGINAL

Dear MS. Dortch:

On June 3, 2005, the FCC released an Order (reference WC Docket No. 04-36 and WC Docket No. 05-196 requiring interconnected VoIP service providers to provide E-911 capabilities to their subscribers no later than 120 days from the effective date of the order. The effective date of the order is July 29, 2005, 30 days from the date of publication in the Federal Register.

Per this order (reference WC Docket No. 05-196 and WC Docket No. 04-36) Midwest Telecom of America, Inc. (MTA) wishes to file its **"Subscriber Notification Report"** below as well as officially indicate its E-911 compliancy.

Per the FCC's order under WC Docket No. 05-96 requiring MTA (a VoIP provider) to be E-911 compliant by no later than 120 days from the effective date of that order MTA is stating to the commission that it is E-911 compliant. On August 4th, 2005 MTA completed the installation and successful call thru testing of our new E-911 trunk groups with SBC (ILEC) from our VoIP Switching facility (CLLI Code MEVLIN24DSO/ Point Code 005 032 132) located at 1567 E. 93rd Avenue Merrillville, IN. 46410 (Merrillville Rate Center - 219-750) to the SBC selective router (CLLI CRPNINCXDSO/Point Code 250 130 007) with a default PSAP of The Lake County Indiana Sheriff's Department.

MTA has also developed the following "Customer Acknowledgment" that must be executed by all VoIP MTA customers before VoIP service activation will occur.

Customer Acknowledgement

Customer acknowledges and agrees to the following bullet point statements:

- *All customer premise equipment installed by Midwest Telecom of America, Inc. (MTA), at their physical location, for the purposes of utilizing MTA's voice and data services will remain the property of MTA at all times and that such customer premise equipment must be surrendered to MTA in the event that the customer no longer utilizes MTA's voice and data services.*

No. of Copies rec'd 04
List A B C D E

Initiative

•

Accountability

•

Integrity

•

Respect

- *Customer will not disturb any customer premise equipment installed by MTA, at any time, without written consent from MTA to do so.*
- *Customer will allow MTA reasonable access to any customer premise equipment, which was installed by MTA, for the purposes of maintaining or removing such customer premise equipment from time to time.*
- *In the event any customer premise equipment, installed by MTA, for the purposes of providing the customer with Local and Long Distance exchange voice services, utilizing VoIP technology, loses network connectivity, electrical power or suffers any kind of electronic failure or malfunction that the customer may lose the ability to place E-911 calls to the appropriate Public answering position.*
- *MTA recommends that customer connect an UL approved 2 hour minimum capacity combination surge protection and uninterruptible power supply to customer's existing telephone system and customer premise equipment installed by MTA. Connecting such an UL approved device to the above mentioned customer premise equipment will help reduce any electronic damage to the customer's telephone system and customer premise equipment as well as increase the length of time that customer can access E-911 services in the event of a electrical power failure.*

Customer Name: _____

Customer Signature: _____

Date of Customer Signature: _____

As of August 17th, 2005 MTA has just completed the installation and deployment of its VoIP Switching and Network Components and will be conducting beta testing on a limited basis through the remainder of the month of August, 2005.

Prior to this date MTA had zero VOIP customers activated through its VoIP Switching facilities and Network Components so there is nothing to report on a percentage basis regarding actual VoIP subscribers. Moving forward from August 17, 2005 and as specifically requested by the commission August 29th, 2005 MTA estimates that 100% of all MTA VOIP subscribers will have executed the above Customer Acknowledgement.

MTA believes that a combination of hand delivering warning labels to MTA's VoIP customers and requiring MTA's technical staff to place labels on all MTA VoIP equipment stating any possible limitations to E-911 services while utilizing MTA's VoIP services or equipment to be a sound method of making sure that MTA's customers understand what type of limitation, if any, they should expect while utilizing MTA's VoIP services and CPE equipment. Below is a sample of the actual label that MTA will be distributing to our VoIP customers and placing on MTA VoIP customer premise equipment.

**Notice !**

*This equipment is the property of
Midwest Telecom of America, Inc.*

Attention !

*In the event this equipment loses electrical power,
network connectivity or any kind of electrical failure,
customer may lose the ability to place E911 calls.*

For Service Call:

219-650-5555

Since MTA did not have any VoIP customers prior to August 17th, 2005 MTA has no necessity to send out advisory letters to its customer base. All MTA VoIP customer advisories and notifications from this date forward will be hand delivered and executed by all MTA VoIP customers prior to VoIP service activation.

Since MTA did not have any VoIP customers prior to August 17th, 2005 we did not find it necessary to take actions or issue steps towards ordering the disconnection of any existing subscribers. However, moving forward, all MTA VoIP subscribers, after August 17th, 2005, will be required to execute the "Customer Acknowledgement" prior to their MTA VoIP service being activated.

MTA will be keeping original copies of all "Customer Acknowledgements" on file along with all other pertinent customer account information or contractual forms as well as maintain a copy of the "Customer Acknowledgement" off site for disaster recovery purposes.

MTA's official contact for compliance efforts with the Commission's VoIP E-911 Order and all notifications pertaining to this filing will be:

Name: Cary W. Smith President/CEO of Midwest Telecom of America, Inc.

Address: 1567 E. 93rd Avenue Merrillville, IN. 46410

Telephone Number: 219-650-5555

E-mail address: cary@pickmta.com